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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,489	12/18/2000	Harutaka Eguchi	1046.1226/JDH	7581
21171	7590	10/01/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SANTIAGO, ENRIQUE L	
			ART UNIT	PAPER NUMBER
			2671	

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/737,489

**Applicant(s)**

EGUCHI, HARUTAKA

**Examiner**

Enrique L. Santiago

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-13 and 21-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-36 is/are allowed.
- 6) ☒ Claim(s) 10-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cullen et al. US patent no. 5,732,230 in view of Swenton-Wall et al. US patent no. 6,590,586 B1.

-Regarding claim 10, Cullen et al. teaches an image processing system comprising: a plurality of unit storage areas (see column 9, lines 36-39, system memory 16, fixed disk 32 and virtual memory) processing target images (see figs. 1 and 2, column 3, line 54-58, column 4, lines 6-8); and a control unit controlling an access to each of the unit storage areas (see figs. 1 and 3, column 5, lines 10-22), wherein said control unit stores the processing target unit images in said plurality of unit storage areas (see figs. 1 and 3, column 5, lines 10-22, column 9, lines 36-39), accesses said unit storage areas in a predetermined sequence, and thereby generates a composite image from the unit images (see figs. 1 and 3, column 5, lines 10-22, column 6, line 51-column 7, line 51).

Cullen et al. does not directly teach vacant unit storage areas arranged in a matrix to have images inserted. However in similar art Swenton-Wall et al. teaches said limitation (see fig. 3A, column 5, lines 12-17). Therefore it would have been obvious to one skilled in the art at the time of the invention to use said system, because it would be used to store the image data (see Cullen et al. column 5, lines 10-13).

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-Regarding claim 11, Cullen et al. further teaches an image processing comprising: unit storage areas having different capacities (see fig 1, column 9, lines 36-39, system memory 16, fixed disk 32 and virtual memory), wherein the composite image is composed of the unit images having different dimensions (see figs. 7-10, column 9, lines 3-39).

-Regarding claim 12, Cullen et al. teaches an image processing system comprising: a display unit 24 (see fig. 1, column 3, lines 4-24) displaying on a screen a composite area as an aggregation of unit areas into which images are insertable (see figs. 3 and 5-10, column 3, lines 4-24); and an operation unit inserting a processing target image into the unit area within the composite area (see fig 3 column 6, line 51-column 7, line 4, column 7, lines 39-51).

Cullen et al. does not directly teach vacant unit storage areas arranged in a matrix to have images inserted. However in similar art Seto et al. teaches said limitation (see figs. 5-7, column 4, lines 6-8). Therefore it would have been obvious to one skilled in the art at the time of the invention to use said system, because it would be used to store the image data (see Cullen et al. column 5, lines 10-13).

-Regarding claim 13, Cullen et al. teaches a storage medium including instructions for: displaying a composite area as an aggregation of unit areas into which images are insertable (see figs. 3 and 5-10, column 3, lines 4-24, column 5, lines 10-22); detecting an indication of a processing target image (see fig. 3, column 3, lines 4-25); detecting a transfer of the indicated image (see fig. 3, column 3, lines 4-25); and inserting the indicated image into a transfer destination unit area (see fig. 3, column 3, lines 4-25).

Cullen et al. does not directly teach vacant unit storage areas arranged in a matrix to have images inserted. However in similar art Swenton-Wall et al. teaches said limitation (see fig. 3A,

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column 5, lines 12-17). Therefore it would have been obvious to one skilled in the art at the time of the invention to use said system, because it would be used to store the image data (see Cullen et al. column 5, lines 10-13).

#### **Allowable Subject Matter**

Claims 21-36 are allowed.

#### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US patent no. 5,977,965

US patent no. 5,979,424

US patent no. 6,417,848 B1

US patent no. 6,469,701 B1

US patent no. 6,480,199 B1

US patent no. 6,496,189 B1

#### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Enrique L Santiago whose telephone number is 703 306-5908. The examiner can normally be reached on Monday to Friday from 7:00 A.M. to 3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman whose telephone number is 703 305-9798, can be reached on Monday to Friday from 7:00 A.M. to 3:30 P.M.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

703 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth Floor (Receptionist).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Enrique L. Santiago

September 24, 2004



MARK ZIMMERMAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600